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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/883,256	06/19/2001	Akiko Hisasue	210004US2	9564
22850	7590	01/12/2005	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			PARDO, THUY N	
			ART UNIT	PAPER NUMBER
			2165	

DATE MAILED: 01/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/883,256	<b>Applicant(s)</b> HISASUE ET AL.	
	<b>Examiner</b> Thuy Pardo	<b>Art Unit</b> 2165	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on Amendment filed June 17, 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-11,16 and 17 is/are rejected.
- 7) ☒ Claim(s) 2,12-15 and 18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                                         |                                                                                         |
|-------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                             | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____                                                |

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1. Applicant's Amendment filed on June 17, 2004 in response to Examiner's Office Action has been reviewed. Claims 1-3, 9, 12-14, and 16-18 have been amended.
2. Claims 1-18 are presented for examination.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 3-11, 16, and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Izumino et al. (Hereinafter "Izumino") US Patent Application No. 2002/0004738.

As to claim 1, Izumino teaches the invention substantially as claimed, comprising:

an estimated use amount calculating part configured to calculate, based on data of an operating manufacturing line, an estimated use amount of said material to be used, including apparatus parts in a unit period of time [s1-s3 of fig. 4; deciding a quantity of the respective materials to be ordered, ab; 0034 of page 3];

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a stock management part configured to determine a current stock number of said material [store order estimation table, ab; 16 of fig. 2-3; 0037 of page 3]; and

an order management part configured to output data on an ordering amount of said material to order based on data of said estimated use amount and said current stock number [quantity required to be produced, ab].

As to claim 3, Izumino teaches the invention substantially as claimed. Izumino further teaches that a storage part to store data of plural predetermined items about said material, wherein said stock management part performs stock management of said material by referring to said data stored in said storage part, and said order management part performs order management of said material by referring to said data stored in said storage part [s4 of fig. 4].

As to claim 4, Izumino teaches the invention substantially as claimed. Izumino further teaches that a storage part to store data of plural predetermined items about said material, wherein said material includes chemicals, said storage part further stores masters having plural management items including items needed in managing said apparatus parts and items needed in managing said chemicals, and said stock management part manages, per said material as a management object, by selecting a specific item from said plural management items [0047-0048 of page 4].

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As to claim 5, Izumino teaches the invention substantially as claimed. Izumino further teaches that said plural predetermined items include an item about storage place of said material [0052 of page 4].

As to claim 6, Izumino teaches the invention substantially as claimed. Izumino further teaches that said plural predetermined items include an item about expiration date of use of said material [inherent in the system].

As to claim 7, Izumino teaches the invention substantially as claimed. Izumino further teaches that said plural predetermined items include an item about expiration date of use of said material currently used within a processing apparatus [inherent in the system].

As to claim 8, Izumino teaches the invention substantially as claimed. Izumino further teaches that said plural predetermined items include an item indicating whether said material is currently a management object or not [0009-0010 of page 1].

As to claim 9, Izumino teaches the invention substantially as claimed. Izumino further teaches a display part to separately display on different screens, a stock management data of said material that is currently a management object and a stock management data of said material that is currently not a management object [0041-0042 of page 4].

As to claim 10, Izumino teaches the invention substantially as claimed. Izumino further teaches said plural predetermined items include an item indicating whether or not said material is a material usable by repetitive reproduction [inherent in the system].

As to claim 11, Izumino teaches the invention substantially as claimed. Izumino further teaches a display part to separately display, on different screens, an order data of said material to be purchased and an order data of said material to be reproduced [0050 of page 4].

As to claim 16, Izumino teaches the invention substantially as claimed. Izumino further teaches that said order management part outputs data of an ordering number of said material by converting the unit of said material adopted within said material management apparatus, into the unit of said material adopted by a manufacturer to which said material is ordered [0065-0067 of pages 5-6].

As to claim 17, all limitations of this claim have been addressed in the analysis in claim 1 above, and this claim is rejected on that basis.

***Allowable Subject Matter***

Claims 2, 12-15, and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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As to claim 2, the feature that said estimated number in use calculating part has a first operation part to calculate an endurance limit of said material based on data of the number of wafers processed in a unit period of time and data of the number of said material used in said unit period of time, and a second operation part to calculate said estimated number in use based on data of the number of wafers to be processed and data of said endurance limit from said first operation part, taken together with other limitations of claims 1 or 17 was not disclosed by the prior art of record.

As to claim 12, the feature that said order management part outputs data of said ordering number of said material based on data of said estimated number in use, data of said current stock number, and an upper limit value of an ordering number that is defined by a predetermined expression, taken together with other limitations of claim 1 was not disclosed by the prior art of record.

Claims 13 and 14 being further limiting to claim 12 are also objected to.

As to claim 15, the feature that said order management part determines an order time of said material based on a predetermined expression using, as a parameter, an actual number used of said material in a unit period of time, a delivery time of said material. and said current stock number of said material, taken together with other limitations of claim 1 was not disclosed by the prior art of record.

1. Applicant's arguments with respect to claims 1, 3-11, 16, and 17 have been considered but are moot in view of the new ground(s) of rejection.

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2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy Pardo, whose telephone number is 571-272-4082. The examiner can normally be reached Monday through Thursday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici, can be reached at 571-272-4083.

The fax phone number for the organization where this application or proceeding is assigned are as follows: (703) 872-9306 (Official Communication)

and/or:

571-273-4082 (*Use this Fax#, only after approval by Examiner, for "INFORMAL" or "Draft" communication. Examiner may request that a formal/amendment be faxed directly to then on occasions*).

Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

6. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**



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(703) 308-9051, (for formal communications intended for entry)

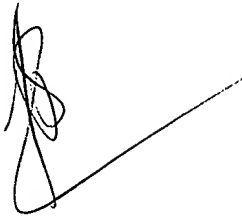
**Or:**

(703) 308-5359, (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal  
Drive, Arlington, VA., Sixth Floor (Receptionist).

December 17, 2004

A handwritten signature in black ink, consisting of a series of loops and a long, sweeping diagonal stroke extending to the right.

**THUY N. PARDO  
PRIMARY EXAMINER**